

Labor-HHS-Education appropriations bill will include language which deprives the Secretary of Health and Human Services from using her discretion based on science and empirical academic study to determine if needle exchange programs reduce the transmission of HIV without encouraging illicit drug abuse. This is bad public policy, when Senators act like scientists, and it is bad health policy. It is my hope that the conferees on this bill will restore the Secretary's discretion.

Great work remains to be done in combating AIDS abroad. We are a failure in our policy toward Africa. Our international efforts need to be bolstered to assist developing countries crippled by the effects of HIV disease. My distinguished colleague and friend from Vermont, Senator LEAHY, has been stalwart in raising the funding levels to fight AIDS abroad in the Foreign Operations appropriations bill and the Congress needs to follow his guidance by continuing to increase these levels. In addition, tomorrow I will introduce the Lifesaving Vaccine Technology Act of 1999 to spur research of vaccines to combat diseases which kill more than one million people every year, and I will have much more to say on this topic at that time.

Great work remains to be done for hemophiliacs. There is perhaps no greater neglect by the federal government in responding to the AIDS epidemic than the ignoring of our hemophiliac population. On November 11, 1998 the Ricky Ray Hemophilia Relief Act was signed into law. The bill, authored by the Senator from Ohio, Senator DEWINE, received overwhelming bipartisan support, and I was proud to be an original co-sponsor of the bill. When it passed, hemophiliacs felt their thirteen year battle to be compensated for the lapse in regulation of our nation's blood supply was over.

In the early 1980s, it became apparent that HIV was being improperly screened, and HIV-tainted blood product was being distributed to patients across the country. At the time, there were 10,000 Americans suffering with hemophilia, an illness which requires regular infusions of blood clotting agents.

According to the Institute of Medicine's report on HIV and the Blood Supply, "meetings of the FDA's Blood Product Advisory Committee in January, February, July and December 1983 offered major opportunities to discuss, consider, and reconsider . . . and review new evidence and to reconsider earlier decisions, [yet] blood safety policies changed very little during 1983." In effect, the report found the FDA was at fault for not responding to clear evidence of transmission dangers. As a result, more than sixty percent of all Americans with hemophilia were infected with HIV through blood products contaminated by the AIDS virus.

Currently, more than 5,000 have died and more are dying each day. In my office, I have been visited by courageous hemophiliacs and when they leave, I never know if I will ever see them again. This population has been decimated, Mr. President, and the personal tragedy is unspeakable.

We must fully fund the Ricky Ray Relief Act. The Senate version of the Labor-HHS-Education bill appropriates \$50 million out of the \$750 million needed to fund the Ricky Ray Trust Fund, and that is certainly better than the inadequate level of the other body, but it is a far cry from the level needed by the hemophiliac community. Members of this community never anticipated the one-time compensation from the trust fund, intended to assist with staggering medical bills and improve the quality of their lives, would turn out to be a pay-out to their estates.

You need only to speak to some of my constituents, like Therese MacNeill. She will tell you, as a mom, the hardship she has experienced in coping with the tragedy of losing one son to AIDS and caring for another who is HIV-positive. Terri MacNeill will let you know in no uncertain terms why we must fully fund Ricky Ray to help families who for years were storing HIV-infected blood product in their family refrigerators next to the lettuce and milk, and now are struggling under mountains of medical bills.

Other countries have recognized the plight of hemophiliacs who were infected by poorly screened blood. Australia, Canada, Denmark, France, Italy, and Switzerland are just some of the countries which have established compensation programs. Sixty Senators signed on as co-sponsors of the legislation authorizing the establishment of the Ricky Ray Trust Fund. Now is the time to realize our commitment to the hemophiliac population on par with other countries as well as our own actions in authorizing the bill. I hope that when the appropriations conference committee meets on this bill, the funding levels for the Ricky Ray act are raised substantially.

Mr. President, let me conclude by saying that I am heartened by the response of my friends, the distinguished Senator from Pennsylvania, Senator SPECTER, and the able Senator from Iowa, Senator HARKIN, in crafting this legislation. They have risen to an incredible challenge in the funding of programs designed for AIDS care, research and treatment, and I remain committed to work with them during this year and next to finish some of the great work that remains to be done, especially in regard to HIV prevention programs and the Ricky Ray Trust Fund.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednes-

day, October 6, 1999, the Federal debt stood at \$5,654,882,997,504.81 (Five trillion, six hundred fifty-four billion, eight hundred eighty-two million, nine hundred ninety-seven thousand, five hundred four dollars and eighty-one cents).

One year ago, October 6, 1998, the Federal debt stood at \$5,536,217,000,000 (Five trillion, five hundred thirty-six billion, two hundred seventeen million).

Five years ago, October 6, 1994, the Federal debt stood at \$4,690,449,000,000 (Four trillion, six hundred ninety billion, four hundred forty-nine million).

Ten years ago, October 6, 1989, the Federal debt stood at \$2,877,626,000,000 (Two trillion, eight hundred seventy-seven billion, six hundred twenty-six million) which reflects a doubling of the debt—an increase of almost \$3 trillion—\$2,777,256,997,504.81 (Two trillion, seven hundred seventy-seven billion, two hundred fifty-six million, nine hundred ninety-seven thousand, five hundred four dollars and eighty-one cents) during the past 10 years.

MOTIVES OF VOTE

Mr. SMITH of New Hampshire. Mr. President, a couple of days ago on the Senate floor, one of my colleagues, Senator LEAHY from Vermont, made some remarks regarding the possible motives of some of us who made a vote on a particular nominee, Ronnie White of Missouri to the Federal court. I want to read from the Senate manual what we all know as rule XVIII. I want to indicate before reading that I do not believe Senator LEAHY violated that rule. That is not the purpose of bringing this up.

The rule says:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators—

Plural—

any conduct or motive unworthy or unbecoming of a Senator.

That rule is very clear, and it is not very often throughout the history of the Senate that rule has been violated.

I want to quote what Senator LEAHY said on October 5 on the Senate floor after the vote on Ronnie White. He said:

Mr. President, I have to say this with my colleagues present. When the full history of Senate treatment of the nomination of Justice Ronnie White is understood, when the switches and politics that drove the Republican side of the aisle are known, the people of Missouri and the people of the United States will have to judge whether the Senate was unfair to this fine man and whether their votes served the interests of justice and the Federal courts.

Then the Senator from Vermont concluded by saying:

I am hoping—and every Senator will have to ask himself or herself this question—the United States has not reverted to a time in

its history when there was a color test on nominations.

The reason why I say rule XVIII was not violated in that case, I believe, although the Senator from Vermont may have walked up to the line—he did not cross it—is because he said “I am hopping.” I, therefore, will not make any contest at this point on that.

It concerned me deeply that those comments were made. I want to say for the record, and it is interesting because I spoke to at least a dozen colleagues who voted the same way I did, in opposition to this nominee—not that it matters—who did not even know what race Mr. White was. I didn't know. I had no idea, and I had numerous conversations about this nominee over the course of several weeks and months, as his nomination was pending. I never knew what his race was nor would I care because I wouldn't want to look, frankly. What difference does it make? It doesn't make any difference to me.

This went further than the Senate floor, which is quite disturbing. In the Washington Post today is in an article, “Deepening Rift Over Judge Vote, Minorities Confirmed At a Lower Rate.” That was the Washington Post story. Very prominently pictured in the article is a picture of Ronnie White, and in addition, Senators ASHCROFT and BOND. There is an implication there that I don't like.

In the article, we have Governor Mel Carnahan, who happens to be the opponent of Senator ASHCROFT in the election in Missouri for the Senate, who said:

“Judge White is a highly qualified lawyer and judge and the [death penalty] figures were manipulated by Senator Ashcroft to undermine him,” Carnahan said.

Then it got a little worse from the Chief Executive of the United States of America. I want to point out, if President Bill Clinton were Senator Bill Clinton, and he said what I am about to read, in my view, he would have violated rule XVIII. That is why I bring it up. Here is what the President said about all of us who voted against Mr. White's nomination:

Yesterday's defeat of Ronnie White's nomination for the federal district court judgeship in Missouri was a disgraceful act of partisan politics. The Republican-controlled Senate is adding credence to the perception that they treat minority and women judicial nominees unfairly and unequally.

That basically is a direct attack on all of us and our motives, basically accusing us of being—the implication is that we are racists, that we do not treat minorities fairly, and that we discriminate against women as well.

That came from the President of the United States.

I will also quote from an article in the Washington Times today in relation to J.C. Watts, the most prominent African American Republican in the Congress of the United States, who was

also deeply offended, as he should have been, by these remarks. It is interesting what Chairman Watts of the House Republican Conference said. This is J.C. Watts talking:

“It is fascinating to me that racism often is defined, not by your skin color, but by your ideology,” said Mr. Watts, the lone black Republican in the House, in a luncheon with editors and reporters at The Washington Times.

He said further:

Unless you're a Democrat. It's OK to do it to black Republicans, black conservatives. But don't do it to a black Democrat.

Then it is racial.

It really is troublesome to me that we create these barriers between us.

President Clinton said:

[By voting down] the first African American judge to serve on the Missouri State Supreme Court, the Republican-controlled Senate is adding credence to the perceptions that they treat minority and women judicial nominees unfairly and unequally.

But anyway, it is troubling to me that these kinds of things happen. I voted against the nominee because of his views on some issues. I spoke to this on the Senate floor on the same day. I am quoting myself now:

In the case of Justice White, who now serves on the Supreme Court in Missouri, he has demonstrated that he is an activist, and has a political slant to his opinions in favor of criminal defendants and against prosecutors. It is my belief that judges should interpret the law, and not impose their own political viewpoints.

That is why I voted against Ronnie White.

Prominent law enforcement people in Missouri were also opposed to him, and said so, as Senator ASHCROFT made very clear.

It is troubling to me that this issue raises its ugly head when somebody happens to be African American. I thought really we would get beyond this. It would have been nice if the President of the United States had said: Ninety-two percent of the minority nominations that have come through this Senate have been confirmed, most of them unanimously without even a recorded vote. It would have been nice if the President said that was pretty good on the part of this Senate, instead of singling out one who had not been confirmed for, I believe, good reason.

One of the things you find out in the Senate, if you stay here long enough, is that you probably have said something somewhere along the line you would like to take back. I am going to say up front regarding my colleague from Vermont, I do not impugn his motives, but it is interesting that Senator LEAHY did not vote to confirm Clarence Thomas. He voted against Clarence Thomas, a very prominent member of the Supreme Court who happens to be African American—a man I was proud to support. I did not hear the President mention any of us who voted for Clar-

ence Thomas, an African American. The reason is very simple: Clarence Thomas is a conservative. That is the reason.

I would never impugn my colleague's motives for voting against Clarence Thomas. I assume he voted against Clarence Thomas because he was a conservative, he did not like his politics, did not like his views on abortion and other issues. I believe that.

I say, without any hesitation, if my colleague were here on the floor now, I would look at him and say: Absolutely, I believe you, that that is your motive, and no other motive.

There was also another vote in 1989 in committee, for a gentleman by the name of William Lucas. Lucas was President Bush's pick for Assistant Attorney General for Civil Rights. He happens to be African American. Lucas's nomination never got to the Senate floor. The vote in Judiciary was 7-7. The Senator from Vermont voted no. Again, I would never use the issue of race to say that was the reason for his vote. I would not even imply it.

So I think it is important that we move beyond this, stop this divisiveness, and give people the benefit of the doubt, and particularly Senator HATCH who so many times has brought nominees whom you and I—I would say to the Senator in the Chair, I myself have often disagreed with Senator HATCH on some of the nominations he has brought, but he has brought them forth I think probably more fairly than he should have in terms of the nominations he brings forth.

So to throw that blanket over 54 individuals who voted the way they did, or even to imply it, is unfortunate.

So I say, to set the record straight, I am going to vote against a person who I think is an activist, who does not represent the views that I believe should be on the court, no matter what the color, and, most frankly, without knowing the color if I can help it because I do not think it matters. It is unfortunate in this case that we came to that.

Mr. President, I want to touch on one other issue before we close up the Senate.

THE PANAMA CANAL

Mr. SMITH of New Hampshire. A few days ago, on October 4, I indicated that there were 88 days until the Panama Canal would be turned over to the Chinese—to the Panamanians and ultimately into the hands of the Chinese Communists. That was October 4.

Today is the 7th, so we have 87, 86, 85—we are down to 85 days before the canal is closed, will be turned over to the Chinese. I have a chart here on which I will put some stickers to cross those days off. The days go fast. I point out that we are going to see this canal in the hands of a nation that does not